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RESOLUTION NO. 06-412

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON GOVERNEOUR FROM THE SOUTH LINE OF HARRY TO THE SOUTH LINE OF OSIE CIR., AND ON OSIE CIR. FROM THE EAST LINE OF GOVERNEOUR TO THE CUL-DE-SAC (SOUTH OF HARRY, WEST OF ROCK) 472-84428 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT ON GOVERNEOUR FROM THE SOUTH LINE OF HARRY TO THE SOUTH LINE OF OSIE CIR., AND ON OSIE CIR. FROM THE EAST LINE OF GOVERNEOUR TO THE CUL-DE-SAC (SOUTH OF HARRY, WEST OF ROCK) 472-84428 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to authorize constructing pavement on Governeour from the south line of Harry to the south line of Osie Cir., and on Osie Cir. from the east line of Governeour to the cul-de-sac (south of Harry, west of Rock) 472-84428.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to **Two Hundred Seventy-Five Thousand Dollars (\$275,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **March 1, 2006** exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

GRILLOT ADDITION

The E 150' of Reserve A
Lots 7 through 24, Inclusive

EAST SUBSTATION ADDITION

Lot 1

UNPLATTED TRACT

BEG 50 FT S & 40 FT E NW COR NE1/4 E 141.9 FT S 20 FT E 22 FT S 274.62 FT TO NWLY

LI GYPSUM CRK SW 321.58 FT TO W LI NE1/4 N 90.25 FT TO CUR

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis.

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Where the parcel known as N1/2 LOT 7 & VAC S 25 FT HARRY DR ADJ ON N BLOCK 2, GRILLOT ADDITION, shall pay 3438/275000 of the total cost. The parcel known as S 1/2 LOT 7 BLOCK 2, GRILLOT ADDITION shall pay 2821/275000 of the total cost. The parcel known as LOT 8 BLOCK 2, GRILLOT ADDITION shall pay 8433/275000 of the total cost. The parcel known as the LOT 9 BLOCK 2, GRILLOT ADDITION shall pay 5193/275000 of the total cost. The parcel known as LOT 10 BLOCK 2, GRILLOT ADDITION shall pay 5981/275000 of the total cost. The parcel known as LOT 11 BLOCK 2, GRILLOT ADDITION shall pay 6041/275000 of the total cost. The parcel known as LOT 1, BLOCK 2 EAST SUBSTATION ADDITION exc. That part resulting from lot split of the parcel described as: Part of LOT 1, EAST SUBSTATION ADDITION, Wichita, Sedgwick County, Kansas, described as Follows: Beginning at the NW corner of Said LOT 1, EAST SUBSTATION ADDITION, running south along LOT 1 453.22 ft to a point on the north line of a 30 ft sanitary sewer easement. Then along the north line of platted sanitary sewer easement NE 581.32 ft, then north 150 ft to the north line of LOT 1. West 188 ft to a cul-de-sac. Following platted street right of way westerly to a point in a general NW direction to the centerline of the street. West 225 ft to the point of beginning shall pay 153005/275000 of the total cost. The parcel resulting from a lot split of the tract described as, Part of LOT 1, EAST SUBSTATION ADDITION, Wichita, Sedgwick County, Kansas, described as Follows: Beginning at the NW corner of Said LOT 1, EAST SUBSTATION ADDITION, running south along LOT 1 453.22 ft to a point on the north line of a 30 ft sanitary sewer easement. Then along the north line of platted sanitary sewer easement NE 581.32 ft, then north 150 ft to the north line of LOT 1. West 188 ft to a cul-de-sac. Following platted street right of way westerly to a point in a general NW direction to the centerline of the street. West 225 ft to the point of beginning, shall pay 59060/275000 of the total cost. The UNPLATTED TRACT known as BEG 50 FT S & 40 FT E NW COR NE1/4 E 141.9 FT S 20 FT E 22 FT S 274.62 FT TO NWLY LI GYPSUM CRK SW 321.58 FT TO W LI NE1/4 N 90.25 FT TO CUR shall pay 14084/275000 of the total cost.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said

improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 1, 2006.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)